

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD MAY 12, 2009, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

Mayor Joens called the meeting to order at 6:00 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Tim Elinski, Council Member
Duane Kirby, Council Member
Linda Norman, Council Member

COUNCIL MEMBER ABSENT

James Chapman, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Rudy Rodriguez, Finance Director
George Gehlert, Community Development Director
Tim Costello, City Engineer
Richard Smith, Deputy Clerk

Steve Horton, City Attorney
Dan Lueder, Utilities Director
Morgan Scott, Staff Engineer
Kyla Allen, Executive Assistant
Jon Rolph, VISTA worker

ITEMS FOR DISCUSSION, CONSIDERATION, AND POSSIBLE DIRECTION TO STAFF:

PRESENTATION OF THE UTILITY DEPARTMENT'S WATER CONSERVATION ACTIVITIES & DIRECTION REGARDING THE ESTABLISHMENT OF A WATER CONSERVATION COMMITTEE

Mr. Lueder gave a PowerPoint presentation with illustrations of various leaks that the utility department had repaired. Water leaks, of which there were over 400 last year between Cottonwood and Clarkdale, accounted for a major portion of water losses. The department was now in a position to isolate leaks by only disconnecting service to a few premises rather than larger areas as was the case previously. If usage at any location increased by 25,000 gallons in a month, the user would be notified of a possible leak. Samples of leak test kits, which were given to customers, were shown. These allowed customers to check for leaks in toilets something that was difficult to detect in any other way. This type of leak could waste considerable amounts of water without a customer knowing about it. These kits were now available with Spanish instructions as well as English. His department funded a state sponsored irrigation auditor class for a member of the Parks & Recreation Department. A consumption handout showed that usage in January 2009 had been reduced by 8 million gallons a month over the same period in 2008. His department participated in the Wet Festival to educate fourth grade pupils about water conservation. Additional programs for youngsters to teach proper irrigation methods were being conducted. With regard to establishing a conservation committee, the department fully supported the concept. There were two ways to go about creating it. It could be established under Council direction similar to the way the Airport Commission was created. This would require state recording and positing requirements to be met and make demands on staff time. The other way to create

the committee would be to have interested residents form it as an *ad hoc* group and report to staff who would then pass on findings and recommendations to the Council.

Council Member Elinski asked how long the committee would be in effect and if there was a specific goal in mind.

Mr. Lueder stated one goal was to lower water usage to that of the national average. He believed there would be ongoing conservation issues as well, such as low flush toilets.

Council Member Kirby stated he could not see how the Council had a whole lot of say in this unless it decided to appoint a committee or commission. He suggested letting the citizens committee go ahead and set up and for their recommendations to be brought before the Council.

Mr. Lueder stated he would contact interested parties to have them set up such a committee.

Mr. Horton stated that was permissible so long as there was no expenditure of public funds.

Council Member Elinski asked if Council Members could attend their meetings.

Mr. Horton confirmed that if a quorum of the Council attended it would be subject to the Open Meeting Law, as it would then become a meeting of the Council.

Council Member Elinski asked if a Council Member could advise the committee.

Mr. Horton stated the more the Council got involved, the more it would be looked at as a formal Council function and subject to the Open Meeting Law.

Council Member Kirby stated he thought staff should be directed to find out what the citizens wanted to do. That way the committee would be better off.

Mayor Joens asked for any comments from the public.

Mr. Pat Stanley, of Cottonwood, asked if the Council could enact laws based on the recommendations of such a committee.

Mayor Joens stated ordinances could be created such as that which was done for the drought management strategy, which restricted watering to every other day from May to September. Staff would put together information for presentation to the Council who would decide whether to make any decision.

Council Member Kirby stated we wanted to be very careful not to, in advance, provide any kind of information that the Council wanted or was looking for. We just wanted these people, if they had a problem meeting among themselves, to ask our staff to meet with

them. As far as the Council was concerned it would just be waiting for a recommendation.

Mayor Joens asked if committee members came to staff and said, this is what our committee had done, could staff input to the citizens.

Mr. Horton stated staff could absolutely dialogue with the committee. Even a committee consisting entirely of staff would not be subject to the Open Meeting Law.

Mr. Bob Oliphant, of Cottonwood, stated he believed Mr. Kirby's suggestion of an informal committee should be followed.

Mayor Joens stated a formal committee could always be formed later, if necessary. She was really interested in conservation, but did that mean she could or could not attend, she asked.

Mr. Horton stated it was not absolutely a bright line. The Attorney General's Agency handbook said, if it was established by the public body itself, it became an advisory committee to the public body and was cloaked with the designation of being a public body subject to the Open Meeting Law. If you moved more towards the citizen group, *ad hoc*, committee you were on that side of the line. The more involvement that Council Members had, the more likely it was that its designation would be construed as a public body.

Mayor Joens asked if that meant she could attend meetings.

Mr. Horton stated she could attend.

Council Member Kirby stated one could go to the meetings and listen but had to keep one's mouth shut. It was not up to the Council to direct the committee.

Mr. Horton stated the purpose was to advise the Council. You might consider whether or not your participation, in the process by which the advice was formulated, was necessary, or whether at some point that information would come to you and you would get to act on it.

Mr. Bartosh suggested as the committee was created, there be a variety of perspectives represented and it not be composed of just conservationists or environmental interests.

Mayor Joens agreed that it should be for all stakeholders with the widest amount of ideas.

Council Member Kirby stated once you started telling these people how you wanted it to be formed, you were going over the line.

Mr. Horton stated he would read a short passage from the Attorney General's Agency Handbook. "An advisory committee is defined as any group officially established by order of the public body, or by the presiding officer of the public body, and whose members are appointed for the specific purpose of making a recommendation concerning a decision to be

made or considered, or a course of conduct to be taken or considered by the public body. This definition does not include advisory groups established by the single head of an agency unless they are created pursuant to a statute, city charter, or other provision of law, or by an official act”.

Mayor Joens asked if it was correct that a Council Member might have an interest in a topic and create a citizens group with just himself or herself.

Mr. Horton stated that although the passage he read from talked about the head of a public body which would be strictly through the mayor, but he did not see why a Council Member could not precipitate the formation of an advisory committee that would either be heard or not heard through staff or at public meetings. There was nothing that precluded that.

Vice Mayor Pfeifer stated if everybody was in agreement that we wanted a loose fitting organization that could meet when they wanted and was convenient, and could let us know when the meetings were, we could attend, and even participate, with less than three members, that was the best way to go right now. If we needed to do it formally later, then we could. It would be easier for the volunteers on this committee to be able to meet when it was convenient for them, not when it was convenient for us.

Mayor Joens stated her total support for that.

PRESENTATION REGARDING PROCUREMENT PROCEDURES BY ROBERT COMBS FROM THE CITY OF CHANDLER'S PROCUREMENT DEPARTMENT

Mr. Robert Combs, Purchasing Materials Manager of the City of Chandler, stated as a frame of reference, the practices discussed tonight were standard for all of the U.S. and Canada. An Invitation for Bid (IFB) would be used to procure ordinary business services which usually had well defined specifications such as computers, desks, raw lumber, etc. A formal solicitation by advertisement would be issued to the vendor community would be made. Ordinarily, the bid would be awarded to the lowest responsive and responsible bidder. Responsive meant the vendor submitted the bid on time, signed it, etc. Responsible meant it had been determined the vendor could do the job. The purchasing department would perform due diligent checks. Options could include terms for renewal or price adjustments based on indexes. A Request for Proposal (RFP) was for more complex acquisitions, such as a computer system or phone system, not routine goods and services. You might know what you wanted but did not necessarily know all the details. This would be put into a Scope of Work to be used to tell the vendor community what you wanted. Evaluations for an RFP were done on a point matrix which could have any type and number of criteria but must have at least a cost component. RFP responses should not be made public. There should be at least three people on the evaluation panel: one from purchasing, one from the department that would be using the product, and one unbiased member. Evaluation should be done individually. The scores would then be tabulated. Any score that was badly skewed should be investigated for bias. Awards may be made based on the first evaluation. However, if there were many respondents, it was recommended to choose the top three or

four and have them make a best and final offer since everything was negotiable. If agreement could not be reached with the first choice vendor, one proceeded to negotiate with the next best vendor, and so on, until an agreement was reached. Negotiating skills were paramount to ensure the best possible deal. A Request for Qualifications (RFQ) was generally used for acquiring professional services such as those of engineers, architects, financial or medical services, etc. You would be seeking the best qualified and most experienced for the task. Having selected them, you then negotiated with the top choice to agree on a price. If those negotiations proved unsuccessful, negotiations would be begun with the second choice, and so on always doing due diligence checks. A key point was that low cost was not always the cheapest choice in the long term.

Council Member Elinski stated that previously some Council Members felt this constituted a blank check.

Mr. Combs stated you should make sure you have detailed specifications, a detailed scope of work, milestone specifications, check mark items, all monitored by your contract manager to ensure you were getting what you asked for when you asked for it with the quality expected. The Direct Select Method (DSM) was generally used for hiring consultants and professional services for low cost projects to achieve standardization and to avoid the time loss and expense of someone having to re-learn a project. It was specifically allowed under Ordinance Number 287. Periodically, usually, once a year, a RFQ should be advertised. A choice could then be made under the DSM to pick a provider without going through the RFP or RFQ process. It was a good practice for low cost projects.

Council Member Elinski asked if he had a recommended dollar amount or if one was written in law as to whether or not to use the DSM.

Mr. Combs stated he would suggest a limit of \$2,000. Another type of solicitation was the Request for Information (RFI). This did not result in an award. It enabled you to gather the best information the industry had to offer to be utilized in future scopes of work. It was a chance to receive valuable free advice. On the matter of local vendor preference, such practices had previously been declared unconstitutional in Arizona. They violated the duty to get the best return for public funds. Federal guidelines from the Office of Management and Budget had the same prohibition. One could establish a vendor outreach program. The City of Goodyear considered sales tax in its costing. This meant that out-of-state firms had to add local as well as their own state's taxes to their prices which might give an edge to a local firm that did not have to pay the out of state taxes. It was an approach that had not yet been challenged in courts. Pitfalls of doing this were that it could discourage competitive bids and result in higher prices and add to the work load of staff who would have to process multiple bids, knowing the award was to be a foregone conclusion. Another method to save money was through cooperative purchasing. It avoided the costs of advertising and processing of bids and allowed a city to tap into the volume buying power of larger entities. You could even form your own local group for purchases. There could be fees involved, but there were still costs savings available.

Council Member Elinski asked how, under cooperative purchasing, you could be sure you were getting the lowest price.

Mr. Combs stated someone on staff must determine comparative prices by contacting other entities for the prices they had paid.

Council Member Kirby asked if in the RFP some points could be given to local contractors for their experience with local people.

Mr. Combs stated no.

Council Member Kirby stated he did not like that and disagreed with the premise. He would take his argument to his State legislators.

Mayor Joens stated she had asked the City Manager to arrange this educational session not only for the Council but for the community because the community has been very vocal recently about actions the Council had taken.

Mr. Scott asked if in some criteria local contractors wouldn't naturally score better; for instance with response times or experience with the area.

Mr. Combs stated emergency response times could be considered as could timely delivery.

Council Member Kirby stated we were not allowed to take into account that local money turned over five or six times locally but if you sent it out of town it stayed there.

Mayor Joens asked if we could have a policy similar to Goodyear's.

Mr. Horton stated he would have to review it first before offering a considered opinion.

Vice Mayor Pfeifer asked if there had not been a position budgeted some years ago for a procurement officer and if there would be a possibility of looking at that again.

Mr. Rodriguez stated five years ago, a buyer's position was proposed. It was still in the budget but had not been budgeted because it had never been the right time to do so. He didn't do a lot of purchasing himself because that was done by experienced department heads. The new position was one that would have to be considered in the future.

REQUEST FOR A CONTRIBUTION FROM THE CITY TO THE OLD TOWN ASSOCIATION FOR THE POSSIBLE RENOVATION OF THE SHEP'S SIGN LOCATED ALONG NORTH MAIN STREET IN OLD TOWN COTTONWOOD

Mr. Gehlert stated Council packets contained a request from Mr. Jim Ledbetter for participation in the restoration of the Shep's Liquor sign in Old Town. The proposal was to convert the sign to a welcome sign for Old Town with advertising for the Ledbetter Law firm

and for the costs to be split evenly with the City. A design for the sign had been arrived at through discussions with the Planning and Zoning Commission.

Ms. Lisa Pender, President of the Old Town Association (OTA), stated part of the OTA's funds would go towards the sign and the OTA would request matching funds from another area agency. Mr. Ledbetter would contribute approximately \$6,500 towards the sign while the OTA expected to raise the balance of \$3,500 of the \$10,000 cost of this long term city investment. They would raise \$3,500 in addition to a \$10,000 donation by the City.

Mayor Joens asked if the OTA had not been funded this year.

Mr. Bartosh stated it had not been funded. It would be a matter for the Council's consideration next fiscal year. It might be possible to get some things done this year using the manager's contingency fund.

Mayor Joens stated she thought about funding from the Council's contingency fund.

Council Member Elinski asked if the Council was not being asked to contribute half of the cost of the sign, or would the City fund the OTA which would then give it to Mr. Ledbetter.

Ms. Pender stated she would ask that the OTA not to directly fund it. It was part of economic development and it would draw a lot of attraction. It directly benefited the Old Town area. Mr. Ledbetter was asking the City to fund this. She was just creating an opportunity for showing how much the OTA was willing to work through a project process.

Council Member Kirby asked if there was a problem giving money to an individual from the City. He wanted to find how much Old Town needed and what the City was being asked to contribute. He had a problem giving money directly to Mr. Ledbetter and would rather it go through the OTA.

Mr. Ledbetter stated it was not his original intention to have the OTA pay for the sign. The restoration cost had been negotiated down to \$13,000. He had planned to have the sign removed but had been approached by the City to have it renovated. The cost was prohibitive for the OTA and should be borne by the City.

Vice Mayor Pfeifer stated she was in favor of keeping the sign. She asked if that meant we would be funding the OTA \$10,000 plus \$6,000 for the sign. It was an idea she liked.

Mr. Scanlan, of Cottonwood, stated it used to be that the OTA was dysfunctional and money given to them was flushed down the toilet. Then the City began earmarking funds for putting on events like the farmers' market. Old Town was doing just fine now and parking was at a premium. The sign was a liquor sign and on private property. It set a bad precedent, giving money to the OTA to put up a sign that was not needed. There was a lot of nostalgia associated with the sign, but the City Council had no business giving money for signs on private property. It would be a decision that would come back to haunt you.

Mr. Tom Pender, of Cottonwood, stated Old Town was building momentum to be successful. It was by no means overrun with visitors. Spending a little bit of money on a sign welcoming people to Old Town was something he supported.

Ms. Annabel Sclipa, Vice President of the OTA, stated Old Town was still not a recognized destination. Assistance from the City would help the OTA and the sign would provide a visual landmark for the district and attract visitors.

Mr. Ledbetter stated in terms of the parking issue downtown on Pinal and First Streets, a lot for 30 vehicles plus handicapped spots should be in place for Council approval by the end of June. The City would lease back the development there in a co-development with his family's property. The public-private partnership was a good thing. The development of the sign project was one that had a lot of public support. It would be done jointly with the Old Town Association at no cost to the City.

Mayor Joens stated this was a private sign and Mr. Ledbetter didn't have to put "Welcome" and "Old Town" on the sign at all. It could read all "Ledbetter" and be made totally private. He was doing this as a benefit to Old Town.

Mr. Bartosh stated he agreed with her sentiments. It was more of a gift to the City than not. It would be appropriate to run this through the Old Town Association. In terms of the funding, he had urged Ms. Pender to present an invoice so that we could spend the \$10,000 for the OTA which he had since found out we didn't have. His recommendation to the Council was to fund half the cost of the renovation and run that through the OTA, taking that funding from the Council contingency. He further recommended he hold discussions with Ms. Pender to determine the OTA's needs for his year and to determine a means of funding those needs. It may require additional contingency from the Council's fund, or the Manager's contingency. It was the right time to support the OTA. There was good leadership, good synergy, and a positive relationship with the wine consortium. It was good investment in the economic development and the continued revitalization of Old Town.

Mayor Joens asked if there would be anything that could be put into a public-private partnership agreement that would protect the citizens and Old town to keep the sign should Mr. Ledbetter or his family decide to sell the property.

Mr. Horton stated the parties could negotiate provisions in an agreement about the upkeep and perpetuity of the sign. Two things applied when spending public money: public purpose and fair return. Until lately, a Council's determination of public purpose had not been put to very careful scrutiny. There were current cases in court that could change that. It was likely, however, that there would be enough public purpose here, despite the fact that the sign was on private property, to withstand scrutiny by the court even under stricter standards, should they be applied.

Council Member Elinski asked if Mr. Ledbetter and the OTA could work out an agreement

between themselves and keep the City out of it.

Mr. Horton stated, certainly. The decision that would come before the Council would be the funding of the OTA and for the promotion of economic development. Then, it would be left to the OTA, in its discretion, to determine how to expend those funds to promote economic development in Old Town. The Council would, in that way, be removed from that decision.

Mayor Joens stated it would be up to them to decide if they wanted to create some type of legal requirement that they would have a say in the sign. She asked if the sign was in a City easement.

Mr. Gehlert replied, no, but that could be part of the solution.

Mayor Joens stated no motion could be taken because this was a work session and only direction to staff could be given.

Council Member Elinski stated his support for the project but had concerns about the City giving the money directly to Mr. Ledbetter. However, preservation of the sign was important, any way that we could.

Mayor Joens recommended the Council fund the OTA, as the simplest, easiest way to participate, and have the City Manager find the source of the funds in the Council contingency.

Council Member Kirby stated the sign would be good for the City and we needed to proceed with funding this project. He asked if further action by the Council was necessary.

Mayor Joens stated less than a quarter of the sign was for Mr. Ledbetter's purpose and three-quarters of it was for the public's purpose and economic development's purpose.

Council Member Elinski stated the OTA should be funded for \$10,000 and should be encouraged to work out an agreement to keep the sign throughout the generations.

Mr. Scanlan asked who would pay for the electricity used by the sign.

Mr. Ledbetter stated, he would.

Council Member Elinski asked, if in the future Mr. Ledbetter were to sell the property, what agreement would be in place to ensure the sign remained lit but supposed it would be something for the OTA and the property owner to work out between themselves.

Mayor Joens stated the Council's direction was for staff to take \$10,000 from the Council's contingency and pay it to the OTA, plus \$6,000 for the sign.

Mr. Gehlert asked for item number 5, regional land use plan, to be moved up on the agenda.

There were no objections to doing so.

PRESENTATION OF THE REGIONAL LAND USE PLAN

Mr. Gehlert stated the purpose was to update the Council on the implementation of the Regional Land Use Plan. Planning for the Verde Valley was an evolving process. City and County staff members met monthly to review the plan and move implementation of it forward. One of the keys issues now was open space and how to maintain separation between communities in the valley. Initial plans began over ten years ago to provide regional oversight with each community adopting its version of a resolution on common bonds and principals for regional cooperation, affirming that significant open space should be maintained between communities. Slides were shown demonstrating the changes on privately held land and possible future decisions about open space which would arise as growth continued in the region.

Mayor Joens asked about the meaning of “hard lines” being drawn around cities and towns.

Mr. Gehlert stated the concept was to discourage sprawl but there was no hard and fast definition. The question concerning annexation would be where that line would be. Our attempt at annexing the Forest Service Land was to have some better influence over what would become of that property over time.

Council Member Elinski asked what the Regional Land Use Plan said specifically about the State Trust Lands and maintaining open space.

Mr. Chad Daines, Yavapai County Development Services Supervisor, stated the Plan did not specifically address the land in question. Each city had a variety of tools available to apply to what was appropriate for its own community. It could be designated open space or there could be transitional lots of different sizes. It was up to each city to implement its own plan the way it thought appropriate. His purpose was to confirm that communities were still committed to the general concept and continue pursuing it.

Council Member Elinski stated he did not want to see Sedona and Cottonwood grow together and he was concerned about the State Trust Land and annexation kicking that process up. He asked how the Regional Plan dealt with the annexation issue of State Trust Land that would likely be developed.

Mr. Daines stated he would rather not focus on a particular piece of property.

Council Member Elinski stated that while we could say we didn’t want communities to grow together, there was a real threat that they could. He asked what some solutions would be to keep that from happening.

Mr. Daines stated the Council could adopt guidelines to ensure the edges were softened. It was not a case of a one size fit all answer. The interface between each pair of cities was

different and would require different solutions.

Council Member Kirby stated State Trust Lands were just that, trust lands, and they were going to be developed. We would have control over that land and could prevent the introduction of 5,000 wells and septic tanks there. In order to maintain the quality of life we would like, we had to annex the property.

Mayor Joens stated people were using this plan to tell the city why they should or shouldn't do that and it disturbed her. Here it said "land management agencies: ASLD concepts: support compatible development and propose strategic sales leases." She asked where the City of Cottonwood was, and when this plan was developed.

Mr. Daines stated it was adopted in 2006.

Mayor Joens asked how we were to deal with entities on our borders who desired to be annexed because they wanted city services. There were huge communities in county land like Verde Village and Cornville. She asked if that was good planning and what we wanted for our future and how this document addressed that. When development went on at Godard or Quail Springs with all of the lot splits, the City of Cottonwood was expected to provide all of the services, except for fire, shopping, hospitals, most of the schools, library, little league parks, etc. But people outside the city didn't feel that we should have any say about anything that happened outside of the city. She asked how the plan addressed that.

Mr. Daines stated there were areas that were rural that enjoyed services of the county.

Council Member Elinski stated his concern for State Trust Lands. We could all say what we would like to see happen there, but the property owner was the State, which would like to see it developed. The City made a good step forward trying to steer that growth in a more positive direction. We would be better able to conserve the land than if it were to go to the county than if there would be a lot of wells and septic tanks. And we wouldn't have as much control of the utilities out there.

Vice Mayor Pfeifer stated she liked the concept of "soft lines" rather than "hard lines" when nearing other communities. That's what we would like and what we were working towards. We could control the edges a whole lot better than the county could.

Council Member Kirby stated that our agreement with the State for this land would designate how much of it would be open space. Negotiations with the State Land Department would determine that before we decided if we wanted to take it on. The Regional Land Use Plan was fine except our propositions may not fall within the plan exactly.

Mr. Bartosh stated Mr. Daines had experience in Peoria with annexing large blocks of state land. He was familiar with the process and could guide us. In talks with him regarding open space and separation with other communities, this annexation was not inconsistent with the Regional Land Use Plan. There would still be a large buffer between us and Sedona and a

somewhat smaller one between us and Cornville.

Mr. Daines stated it was the thoroughfares that were the main focus where edges were perceived. There was a lot of land between Sedona and Cottonwood, less between Cottonwood and Camp Verde.

Mayor Joens stated there was Forest Service land within the city she hoped would remain open land. Her concern was that people were using the plan to tell her what the city could and could not do.

Ms. Tammy Dewitt, Yavapai County Planner, stated the city had taken the first step of trying to implement the plan and involving all the key players and people who were concerned. Cottonwood had involved the region in an issue people were concerned about, and that was what the plan promoted.

Mr. Daines stated this process was a recommitment to a generalized process. Hopefully, we could bring people back to what we were really trying to accomplish here. This was not a plebiscite on whether Cottonwood should annex Public Trust Lands or not.

Mr. Horton stated this document did not bind. A lot of the value of the document was the process by which the parties developed it and came to understand the issues.

Mr. Ron Holman, who resided in unincorporated county territory, stated a Forest Land agreement reached previously, prevented land exchanges from all 160,000 acres of land between the proposed area of annexation and Sedona/Oak Creek Village and beyond. The City may be accused of making a land grab, but it was better than leaving matters to the county.

Mr. Phil Trabell stated he wanted to see this part of the Verde Valley remain a non-exclusive area the way it has been in the past. Growth was going to double the population in 20 years. Developers could come in and we would have nothing to say about it. Local decisions should be made to retain the flavor of what people want to see here. People moved here for a reason and didn't want to lose that. The City had taken on a leadership role in the valley with its planning process and should proceed with its plan and the Council should not be deterred because of opposition.

Mayor Joens stated we were concerned about open space, planning, water, and the river and we were doing everything we could to be responsible citizens and to serve our citizens while reaching out to the region. The Council had been responsible to the region and tried to address issues of concern. She asked if there was a wide variety of community members and wide variety of ideas represented. When you talked about sustainability you talked about the three legs: environment, economy, and social. She asked if his committee represented all those elements and had input from them.

Mr. Daines stated there were representatives from each community in the Verde Valley, the

Forest Service, and State Lands. There was also an extensive e-mail list of people who were notified.

Ms. Dewitt stated all agendas were posted on their website and meetings were always open.

Mayor Joens asked if there was business representation.

Mr. Daines stated there were mostly agencies.

Mayor Joens stated this information would be presented at the intergovernmental meeting May 28th.

POSSIBLE ADOPTION OF A CODE TO REQUIRE REVIEW OF ALL BUILDING PERMITS AND OTHER LAND USE REQUESTS BY THE PLANNING & ZONING DIVISION PRIOR TO FURTHER CITY ACTION REGARDING SUCH REQUESTS

Mr. Gehlert stated this was a proposed amendment to the Zoning Ordinance which would basically establish a procedure for a requirement for a zoning clearance associated with any change in land use or building permit. Such changes would require permission from the Zoning Commission who would review all background issues associated with the change. It was a common procedure in most cities and something the county had used for 20 years. Essentially, it was a clearance process instead of a plan review.

Council Member Elinski asked if it would take more people or time and how it differed from the current procedure.

Mr. Gehlert stated reviews now were being done by building safety. More sophisticated action would be taken under this proposal. There was an extra level of security.

Council Member Elinski stated his support because it would minimize problems arising after a permit was issued which could stop work while resolution was sought. He asked if it would back up the process.

Mr. Gehlert stated he did not believe so since most permits were issued for single family homes.

Council Member Elinski asked if, when someone pulled a permit, it would first go to him for zoning approval, which could take up to ten days, then it would be looked at by building safety officials for code review.

Mr. Gehlert stated, yes.

Council Member Elinski stated it could slow the process down, potentially, by ten days, which was still better than the county. It was worth waiting the extra time, because once it was issued, the applicant could proceed with his project without getting stopped later for

something that had been overlooked.

Council consensus was to prepare for this to be brought before the Council for a vote.

INFORMATION REGARDING THE REQUEST FROM CONGRESSWOMAN ANN KIRKPATRICK
FOR FEDERAL TRANSPORTATION PROJECT FUNDS FROM THE CITY

Mr. Costello stated this was a request from Congresswoman Kirkpatrick's office for transportation projects the City might desire her office to insert into a Congressional bill expected to be discussed this year. It was not a grant request. Projects with the best likelihood of success were considered and we had selected the Main Street improvements project in Old Town. There was no way to know if funding would be appropriated.

DIRECTION REGARDING ADDING MORE AREA TO THE 2009 PAVEMENT PRESERVATION
PROJECT

Mr. Costello stated at the last meeting a contract was awarded for a paving project. The price was very favorable and well below budget. This would allow additional areas to be added to the project for the budgeted amount, if desired, and the contractor had agreed not to raise his prices as he was allowed to do under the contract. Areas to be considered were Paula Circle, Beech & Aspen Streets, Cherry Street, Cottonwood Street east of Willard Street, Sawmill Road, and 14th & 15th Streets.

Mayor Joens asked if the width differences on Cottonwood Street could be fixed.

Mr. Costello stated that would require major reconstruction.

The Council consensus was for Mr. Costello to proceed and add additional areas to be paved.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Norman, and carried unanimously. The work session adjourned at 9:02 p.m.